

**ST. CHARLES CITY COUNCIL SPECIAL MEETING  
RAYMOND P. ROGINA, MAYOR**

**MONDAY, MARCH 30, 2020 – 7:00 P.M.  
CITY COUNCIL CHAMBERS  
2 E. MAIN STREET**

1. **Call to Order** at 7pm by Mayor Rogina
2. **Roll Call**  
Council Chambers – Silkaitis, Payleitner, Turner, Pietryla, Vitek, Bessner  
Via Teleconference – Stellato, Lemke, Bancroft, Lewis  
Absent - None
3. **Invocation** by Ald. Payleitner
4. **Pledge of Allegiance** by all
5. **Presentations** - None

Rogina – Good Evening to everyone here and those joining us on the phone. We are here in a nearly empty chamber and I feel like I am in a baseball stadium with no fans, but the game will still be played. We are in unusual times and unusual circumstances and we have business that we need to attend to and we will do that. I am glad that we have a chance tonight, on a modified agenda, to do a dry run for what might be several meetings like this for the following month, April for both council and committees. This gives a chance to work out kinks, if there needs be. Sharon Bringelson has done the yeoman's work setting this thing up and the round of applause is very well deserved for all the effort she's put in.

I'd like to set a few ground rules and how we will manage this meeting here tonight, because of these circumstances, we have four city council members joining via phone, we have presentations being made here in chambers. First, you should know, that the aldermen not in chambers are not muted and at all times they are active and able to speak. Everyone else is muted, with the news reporter along with the few citizens present, these folks will be able to speak at the end of the meeting, as we always set aside time for. When we are at that point of the meeting, we will open up to questions. We do have an executive session tonight and we will take a roll call vote to enter into session, Ald. Lemke you will be able to make your motion to take us into that executive session but once that is done, the roll call by Clerk Amenta, there are special instructions that Sharon has forwarded to you all. That is that you will have to call back in again to insure that we have confidentially in that executive session. Once we go through that roll call, then you call back in. We will go back over that later, just a quick covering of that now. All ten members of the city council, you can speak as many times as you want and make as many point and ask questions as you'd like. Unlike the regular executive session, or a regular meeting where you'd put your hand up and wait until you are given the floor, I will go to people in the chamber first, then move to the phone and call on those folks, basically please don't just shout out and I will make sure that we cover everyone as many times as needed. Also for note, we will not be covering any business after the executive session so there will be nothing to take care of after that meeting, this is for Eric Schelkopf from the media on the call tonight. With that Alderman Stellato, please motion the omnibus.

6. **Omnibus Vote.** Items with an asterisk (\*) are considered to be routine matters and will

be enacted by one motion. There will be no separate discussion on these items unless a council member/citizen so requests, in which event the item will be removed from the consent agenda and considered in normal sequence on the agenda.

- \*7.** Motion by Ald. Stellato and seconded by Ald. Silkaitis to accept and place on file minutes of the regular City Council meeting held March 2, 2020.

ROLL CALL VOTE: AYE: Stellato, Silkaitis, Payleitner, Lemke, Turner, Bancroft,  
Vitek, Pietryla, Bessner, Lewis

NAY: NONE

ABSENT:

ABSTAIN: NONE

MOTION CARRIED

- \*8.** Motion Ald. Stellato and seconded by Ald. Silkaitis to accept and place on file minutes of the Emergency City Council meeting held March 18, 2020.

ROLL CALL VOTE: AYE: Stellato, Silkaitis, Payleitner, Lemke, Turner, Bancroft,  
Vitek, Pietryla, Bessner, Lewis

NAY: NONE

ABSENT:

ABSTAIN: NONE

MOTION CARRIED

- \*9.** Motion Ald. Stellato and seconded by Ald. Silkaitis to approve and authorize issuance of vouchers from the Expenditure Approval List for the period of 2/24/2020 - 3/8/2020 in the amount of \$2,033,894.14.

ROLL CALL VOTE: AYE: Stellato, Silkaitis, Payleitner, Lemke, Turner, Bancroft,  
Vitek, Pietryla, Bessner, Lewis

NAY: NONE

ABSENT:

ABSTAIN: NONE

MOTION CARRIED

- \*10.** Motion Ald. Stellato and seconded by Ald. Silkaitis to accept and place on file the Treasurer's Report for period ending January 31, 2020.

ROLL CALL VOTE: AYE: Stellato, Silkaitis, Payleitner, Lemke, Turner, Bancroft,  
Vitek, Pietryla, Bessner, Lewis

NAY: NONE

ABSENT:

ABSTAIN: NONE

MOTION CARRIED

## **I. New Business**

Rogina – We will let Director McMahon take the floor now, before we hear a motion, and talk about the only and new business item for this evening. We will field questions after she speaks and we are looking to take action on this tonight.

McMahon – Thank you for having this meeting tonight for this important issue. On March 19, the Families First, Corona Virus Act was signed into law. There are two parts to this act, the first expands FMLA, called emergency Family Medical Leave Act and this allows employees 12 weeks of job protected leave, in order for them to care for their children, under the age of eighteen, if their schools or daycares are closed because of COVID-19. The other part of this act is Emergency Sick Pay, this allows about two weeks, depending on full or part time status, to be off. There are six reasons articulated. Generally, three of the reasons relate to if you're sick with COVID or experiencing symptoms and the others more or less are about caring for someone in your household with symptoms or diagnosed with COVID-19. What I am recommending today, after talking to both the police and fire chiefs, is that we adopt a resolution that would exclude first responders, only from that first part, from the Family Medical Leave part, this excludes them from taking up to 12 weeks of job protected leave in order to care for a child, or children, under the age of eighteen, a healthy child, that cannot go to school or daycare. The reason we are doing this is because these are the people that we need here in this time or crisis. It doesn't mean that they cannot make a request for time off to use for that purpose, it would be to the chief's flexibility to make that decision based on the demands they encounter, rather than it be guaranteed. When I say first responders, the way we are defining that is any sworn personal from chief on down. If you are a sworn firefighter or sworn police officer, you would be excluded just from that FMLA portion of this act. To that effect, there is a resolution before you that I recommend adopting.

Rogina – One item I will add, for clarification, we are talking about a leave that you want them excluded from. This has nothing to do with sickness at all, just the ability to be home and care for healthy children that are home because schools are closed, there is no sickness or anything of that nature involved, am I correct on that?

McMahon – Yes, you are correct.

Rogina – I will start on the dais, are there any questions there?

Bessner – Are there any situations that have been considered an extreme case that might come up? I know you said that it would be at the chief's discretion, but is that true to form for an extreme situation? I know you talked about being sick, but if kids are at home and there are other factors going on.

McMahon – That was one of the things that we communicated to the unions, we talked to all three of the unions about this, it does not preclude you from bringing up that situation in the language, to consider what that situation is. We didn't contemplate any scenarios of what that situation is, honestly the schools have been closed for a while now and all of the employees have been managing with that and coming to work, the first responders, and handling that. What I appreciate is that it allows the chief the flexibility to look at manpower, demands, and consider the extreme situations and make a decision.

Payleitner – I heard today that there are eight hundred police officers out sick, in the city of Chicago. I think that this is the scenario that we don't want to have here. This is the scenario that the police and fire chief can consider.

Rogina – Are there any other questions from anyone in chambers or on the phone? Hearing none, and if there are no further discussion points to consider, I would entertain a motion on this resolution. Whoever makes this motion, please read the entire motion into the record.

- A. Motion Ald. Pietryla and seconded by Ald. Payleitner to approve a **Resolution 2020-14** Excluding Emergency Responders of the City of St. Charles from the Emergency Family and Medical Leave Expansion Act

ROLL CALL VOTE: AYE: Stellato, Silkaitis, Payleitner, Lemke, Turner, Bancroft,  
Vitek, Pietryla, Bessner, Lewis  
NAY: NONE  
ABSENT:  
ABSTAIN: NONE

MOTION CARRIED

## II. Committee Reports

- A. **Government Operations**  
None
- B. **Government Services**  
None
- C. **Planning and Development**  
None

### 11. Additional Items from Mayor, Council, Staff, or Citizens

Eric Schelkopf, Kane County Chronicle – We did a story a few days ago about how it seems like, at least in the city of St. Charles, people are for the most part seem to be abiding by the Stay Home Order. I was wondering if anything new has come up as far as are people obeying the Stay Home Order?

Rogina – From my perspective in the mayor's office and talking with the directors, it is business as usual and things are very calm under the circumstances but Chief Keegan, he may want to comment.

Keegan – Thank you Mayor Rogina, we have had a handful of complaints from businesses maybe not understanding what the essential portion of the gubernatorial order. We have had officers go to these places and talk to them and that has worked out very well. As far as complaints, they have been minimal and there have been a number of calls coming in regarding social distancing and some parks that people are congregating on, there are fliers that we are passing out and are doing educational talks with, mostly younger people, same holds true on the business side, there is a letter that we have come up with from the city, with resources from the state of Illinois, so far as compliance, I think that is what we are seeking here. This is not just at a local level, but also regionally also. If we can just have everyone abide by the Governor's order, stay home and stay healthy. For the most part, I think people are listening and we are not stopping cars and asking them where they are going but we are talking people at their word and hopefully their honor that they are following the orders in place to keep the health and safety of others as best as we can for the area and the City of St. Charles.

Lewis – I would like to comment that in the past, I have used a phone in for the meetings and this is by far this is the best I've been part of. I feel like I'm right there and the sound is great and I can hear everyone on very well. Thank you for putting this together.

Rogina – Trust me when I say, I had nothing to do with it other than taking myself off the dais and moving to the floor and it's very comfortable down here, to be honest with you. Sharon and the IT staff should take total and complete credit for this, we knew that we might have to have something like this at some point and it feels like we are off to a good start. We will have several more meetings like this so we appreciate the comments, at least for the current meeting.

- A. Executive Session** – Motion to enter executive session for Collective Bargaining made by Ald. Lemke at 7:19, seconded by Ald. Bessner

ROLL CALL VOTE: AYE: Stellato, Silkaitis, Payleitner, Lemke, Turner, Bancroft,  
Vitek, Pietryla, Bessner, Lewis

NAY: NONE

ABSENT:

ABSTAIN: NONE

MOTION CARRIED

- Personnel – 5 ILCS 120/2(c)(1)
- Pending Litigation – 5 ILCS 120/2(c)(11)
- Probable or Imminent Litigation – 5 ILCS 120/2(c)(11)
- Property Acquisition – 5 ILCS 120/2(c)(5)
- **Collective Bargaining – 5 ILCS 120/2(c)(2)**
- Review of Executive Session Minutes – 5 ILCS 120/2(c)(21)

- 12. Adjournment** motion by Ald. Turner and seconded by Ald. Bessner at 8:15 pm  
VOICE VOTE: AYE – UNANIMOUS NAY-NONE ABSENT: NONE  
MOTION CARRIED

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Charles Amenta, City Clerk

CERTIFIED TO BE A TRUE COPY OF ORIGINAL

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Charles Amenta, City Clerk

***ADA Compliance***

Any individual with a disability requesting a reasonable accommodation in order to participate in a public meeting should contact the ADA Coordinator, Jennifer McMahon, at least 48 hours in advance of the scheduled meeting. The ADA Coordinator can be reached in person at 2 East Main Street, St. Charles, IL, via telephone at (630) 377 4446 or 800 526 0844 (TDD), or via e-mail at [jmcmahon@stcharlesil.gov](mailto:jmcmahon@stcharlesil.gov). Every effort will be made to allow for meeting participation. Notices of this meeting were posted consistent with the requirements of 5 ILCS 120/1 et seq. (Open Meetings Act).